



STATE OF CONNECTICUT
DEPARTMENT OF ENVIRONMENTAL PROTECTION



Clean Water Fund Memorandum

July 8, 2010

TO: ALL CONNECTICUT MUNICIPALITIES AND ENGINEERING CONSULTANTS

RE: MBE/WBE SUBCONTRACT PARTICIPATION
ON CLEAN WATER FUND CONSTRUCTION PROJECTS

The following clause shall be included in all construction contract documents for goods and services to be funded under the CWF:

The requirement for MBE/WBE subcontractor participation, expressed as a percentage of the total contract amount, shall be a minimum of 8.0 percent with the following makeup:

MBE 3.0 percent WBE 5.0 percent

Failure to meet or exceed the required percentage may render a bid non-responsive and may cause the rejection of the bid.

NOTE that the General Contractor's certification as an MBE or WBE has no effect on this requirement. Therefore, even if the prime contractor is an MBE or WBE, subcontracts must be secured to achieve the MBE 3.0% and WBE 5.0% participation. Furthermore, for subcontracts for material suppliers, only 25% of the dollar value of their contracts may be applied toward the required percentage listed above unless that supplier manufactures those supplies. **Verification of General Contractor compliance with this requirement at bid opening shall be accomplished by each bidder signing this form in the proper space below and submitting it with the bid proposal.**

Within fourteen (14) calendar days after bid opening, the apparent low bidder shall complete and submit to the Owner the Subcontractor Verification Forms provided in the contract documents, along with corresponding MBE / WBE certification for each subcontractor. **Failure to submit these documents by the close of business of the fourteenth calendar day after bid opening may result in the bid being deemed non-responsive and may cause the rejection of the bid.**

Within fourteen (14) calendar days after the execution of the Prime Contract, two executed copies of the MBE/WBE subcontracts must be submitted to the Owner, who must then submit one copy to DEP as demonstration of compliance with this memorandum. **No payment requests will be processed by DEP until the executed copies of the subcontracts are on file in our office. Failure by the Municipality to meet the required MBE/WBE participation, unless good faith efforts have been documented, shall result in those costs which are deficient below the goals to be deemed ineligible for any CWF participation and those deficient costs shall be the sole responsibility of the Municipality.**

Paul E. Stacey, Director
Planning & Standards Division
Bureau of Water Protection & Land Reuse

I hereby verify that I have read and understand the MBE/WBE requirements in this memorandum and will procure subcontracts whose percentages will meet or exceed the minimums listed above.

Contract Name _____

Name of General Contractor _____

Authorized Signature of General Contractor _____ Date _____

Minority Business Enterprise / Women's Business Enterprise Subcontractor Verification Form

Note to General Contractor: You are required to complete this form for each MBE or WBE subcontractor to be employed in the completion of this contract, and submit an original of each completed form, along with a copy of the subcontractor's current, valid MBE / WBE certification, to the Owner within 14 days of bid opening. Failure to submit this form and the MBE / WBE certification within 14 days of bid opening may render your bid non-responsive and result in the rejection of your bid.

Name of Subcontractor: _____

Address: _____

Contact Person: _____

Phone Number: _____ - _____ - _____ Is subcontractor MBE or WBE ? (circle one)

Type of Work to be performed _____

Estimated dollar amount of subcontract: \$ _____

Percent of total contract _____ %

Please attach a current, valid copy of the subcontractor's MBE or WBE certification form to this document

The completion and submission of this form does not constitute a contractual agreement between the general contractor and the named subcontractor, but is solely for documenting proposed compliance with MBE/WBE participation under DEP's Clean Water Fund. Should another subcontractor be substituted in place of the firm named above, both the Owner and the Department of Environmental Protection (Water Management Bureau, 79 Elm Street, Hartford 06106-5127) must be notified in writing within three (3) business days of the change, and a copy of this form must be completed for the replacement subcontractor. The MBE / WBE percentages shall be maintained or exceeded in the event of one subcontractor being substituted for another.

Name of Contract: _____

Name of General Contractor: _____

Authorized Signature of General Contractor: _____ Date: ____ / ____ / ____